IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 6891 of 2005

Between:

E. Parimala Devi, W/o. T. Pulla Reddy,
(Under Suspension) PUletipalli Village, Chennakotbapalli Mandal, Ananthapur District.

..... PETITIONER

AND

1 The Revenue Divisional Officer (Civil Supplies), Dharmavaram, Anantapur District.
2 The Joint Collector, Anantapur, Anantapur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of a Writ of Mandamus the declaring the action of the respondents in continuing the suspension Vide 2113/2004/F dt. 16/9/04of the Petitioenr's F.P. Shop Dealership relating to puletipalli, C.K. Palle Mandal, Anantapur District beyond 6 months as illegal, arbitrary and violative of Article 21 of the Constitution of India and consequently direct the respondents to restore the Petitioner’s F.P. Shop Authorization relating to Puletipalli, C.K. Palle Mandal, anantapur District pending main enquiry and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR,KUNCHEAMMAHESWARA RAO

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

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ORAL ORDER:.

Heard both sides and at their request, this Writ Petition is taken up for disposal at the stage of admission.

This Writ Petition is filed for issuance of a Writ particularly one in the nature of Mandamus, declaring the action of the respondents in continuing the suspension of the petitioner's Fair Price Shop Dealeship relating to Puletipalli, C.K.Palle Mandal, Anantapur District beyond 6 months vide proceedings No. 2113/2004/F dated 16.9.2004, as illegal arbitrary and consequently direct the respondents to restore the petitioner's Fair Price Shop authorization.

The grievance of the petitioner is that he preferred an appeal before the second respondent- Joint Collector, Anantapur, Anantapur District and he is not disposing of the appeal within the stipulated time of 90 days, as contemplated under the Statute.

No doubt, in normal course, the appeal should be disposed of within 90 days as prescribed under the Statute, but that would always be subject to the magnitude of the litigation pending before the appellate authority.

Therefore, I do not find any merit in the Writ Petition and the same is accordingly dismissed. However, it is always desirable for the appellate authority to dispose of appeals with utmost expedition. No order as to costs.

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D.S.R. VARMA, J

DATED: 04.04.2005

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To

1 The Revenue Divisional Officer (Civil Supplies), Dharmavaram, Anantapur District.
2 The Joint Collector, Anantapur, Anantapur District.

3. Two CCs to G.P. for Civil Supplies, High Court of A.P., Hyderabad. (OUT)

4. Two CD copies.